

JENKINS' INDEPENDENT COMMISSION ON THE VOTING SYSTEM

History:

1. The Labour Party manifesto for 1997 general election stated “*We are committed to a referendum on the voting system for the House of Commons. An independent commission on the voting systems will be appointed early to recommend a proportional alternative to the first-past-the-post system*”.
2. The Independent Commission on the Voting System was established by the Government in December 1997 with the remit to report within 12 months.
3. Its terms of reference were that it should be free to consider and recommend any appropriate system or combination of systems in recommending an alternative to the present system for Parliamentary elections to be put before the people in the Government's referendum. It was to observe the requirement for broad proportionality, the need for stable government, an extension of voter choice and the maintenance of a link between MPs and geographical constituencies.
4. Membership of the Commission was the late Lord Jenkins of Hillhead, Lord Alexander of Weedon, Baroness Gould of Potternewton, Sir John Chilcot & David Lipsey.
5. The Commission reported in October 1998.
6. Its main recommendations were:
 - A two vote mixed system described as AV Top-up where the majority of MPs (80 to 85%) continue to be elected on an individual constituency basis and the remainder to be elected on a corrective top-up to reduce the disproportionality and the geographical divisiveness inherent in fptp.
 - The constituency members to be elected by the alternative vote system where voters list candidates in order of preference. [Lord Alexander dissented from this recommendation; although he supported the recommendation for an additional member system he advocated that these constituency elections be conducted by first past the post].
 - The system for electing the Top-up members should allow the voter the choice to vote either for a party or individual candidate from lists put forward by parties which will be open rather than closed lists.

- In the interests of local accountability and providing additional members with a broad constituency link these members should be elected using small top-up areas.
- The Top-up members should be allocated correctively, that is on the basis of the second vote and taking into account the number of constituency seats gained by each party in each respective area according to the following method (the d'Hondt system currently used in European Parliamentary elections):
- The number of second votes cast for each party to be counted and divided by the number of constituency MPs plus one gained by each party in each area;
- The party with the highest number of second votes after this calculation to be allowed the first Top-up member.
- Any additional member for an area to be allocated using the same method but adjusting to the fact that one party will already have gained a Top-up member.
- The right to put forward candidates for Top-up member seats should be limited to those parties which have candidates standing for election in at least half of the constituencies within the Top-up area.
- Any Top-up member vacancies should be filled by the candidate next on the list of the party holding the seat.

What the Government said before and after the Report was published:

Before

7. See above on manifesto commitment and terms of reference above.

After

8. In a debate in the House of Commons on 5 November 1999, the Home Secretary said that the Government wished to see how the proportional systems for the elections to the Welsh Assembly, Scottish Parliament and European Parliament fell into place before rushing ahead with the referendum. It was also keen to see and be informed by a widespread debate, both within Parliament and across the country, about the merits of the report's proposals.
9. As far as the timing of the referendum is concerned, the Prime Minister said in the House of Commons on 4 November 1999 that it had always been envisaged that the referendum would take place before the next general election ie 2001. However, because the Commission's recommended system was one that could not be in place in time for the

next election, as the Commission itself acknowledged, holding the referendum after the next election was now also a possibility.

10. The 2001 Labour Party manifesto said: *'The Independent Commission on the voting system made proposals for electoral reform at Westminster. We will review the experience of the new systems and the Jenkins report to assess whether changes might be made to the electoral system for the House of Commons. A referendum remains the right way to agree any change for Westminster'*.
11. Since then, no Government statement on PR has been made, beyond endorsing the manifesto commitment.

VOTING SYSTEMS FOR SCOTTISH PARLIAMENT AND NATIONAL ASSEMBLY FOR WALES, COMPARED WITH JENKINS' COMMISSION RECOMMENDATIONS

12. The system of voting used in elections to the **Scottish Parliament and Welsh Assembly** is a first past the post (FPTP)/additional member list system and is proportional. Each voter has two votes. The elector's first vote is used to elect in Scotland one of 73 and in Wales one of 40 constituency members using FPTP. The second vote is used to elect in Scotland 56 and in Wales 20 members from electoral regions corresponding to the Euro constituencies each country used prior to 1999 when it elected its representatives by the FPTP system.
13. Those representatives chosen from the list system are "top-up" members intended to correct any imbalance in proportionality arising from the vagaries of FPTP. Electors vote for a political party or independent candidate rather than an individual and candidates are drawn from the top of the party list. Seats in this category are awarded proportionately according to the number of votes cast using the d'Hont system.
14. **The Jenkins' Report** recommended a system of election combining the alternative vote (AV) with additional member. Electors would have two votes. The first vote would choose the majority of members on the basis of the AV voting system (a system of preferential voting in which a successful candidate must secure a majority, rather than as under FPTP a mere plurality, of votes case). The second vote would be used to elect a minority of "top-up" members chosen to correct any imbalance in proportionality.
15. The system of election use for the devolved bodies in Scotland and Wales thus includes the additional member list system designed to promote proportionality as advocated in the Jenkins' Report but substitutes for AV the FPTP voting system to elect the majority of members.

ARGUMENTS FOR AND AGAINST CHANGING THE VOTING SYSTEM

16. For change:-

- Only one MP elected in each constituency so that voters who did not vote for that person not represented.
- Lack of choice of candidates given to voters.
- Change of government depends on small number of marginal constituencies and voters.

17. Against change:-

The present, FPTP, system:

- Is easy to understand. Alternative systems more complicated. The voter believes he or she can express a view on which party will form the next government.
- Tends to lead to 2 party system and single party governments which are strong enough to create legislation without support from other political parties could compromise proposals.
- Provides close link between MPs and their constituencies.
- Provides a clear result in national elections.